

CASE NO. 03-19-00198-CV

**IN THE COURT OF APPEALS
THIRD COURT OF APPEALS DISTRICT
AUSTIN, TEXAS**

FILED IN
3rd COURT OF APPEALS
AUSTIN, TEXAS
5/4/2020 4:37:37 PM
JEFFREY D. KYLE
Clerk

**MADELEINE CONNOR
Appellant**

V.

**DOUGLAS HOOKS
Appellee**

**APPEAL FROM THE 201ST DISTRICT COURT
OF TRAVIS COUNTY, TEXAS
TRIAL COURT CAUSE NO. D-1-GN-18-005130
HONORABLE CATHERINE MAUZY, PRESIDING JUDGE**

**APPELLEE'S RESPONSE TO APPELLANT'S MOTION
FOR LEAVE TO SUBMIT SUPPLEMENTAL BRIEF**

Sheryl Gray Rasmus
Texas Bar No. 16554001
The Rasmus Firm
P. O. Box 1484
Manchaca, TX 78652-1484
512/481-0650
512/481-0604
sgrasmus@rasmusfirm.com

ATTORNEY FOR APPELLEE

**APPELLEE’S RESPONSE TO APPELLANT’S MOTION FOR LEAVE TO
SUBMIT SUPPLEMENTAL BRIEF**

TO THE HONORABLE THIRD COURT OF APPEALS:

COMES NOW, DOUGLAS HOOKS and files his Response to Appellant’s Motion for Leave to Submit Supplement Brief, and would respectfully show the Court the following:

On March 27, 2019, Appellant, Madeleine Connor *pro se* filed her Notice of Appeal of the trial court’s Order finding Madeleine Connor a vexatious litigant signed on March 8, 2019. Subsequently, Madeleine Connor filed Appellant’s Brief on November 26, 2019. Appellee, Douglas Hooks filed Appellee’s Brief on January 19, 2020. Appellant filed her Reply Brief on February 18, 2020.

In addition to the briefing filed by the parties in the matter, Amicus briefs have been filed: on December 17, 2019 by Scott M. Tschirhart, Amicus on behalf of Appellee, Douglas Hooks; and on March 27, 2020 by Donald T. Cheatham, Amicus on behalf of Appellant, Madeleine Connor.

On April 2, 2020, attorney David Rogers entered his appearance on behalf of Appellant, Madeleine Connor. On May1, 2020, attorney Rogers filed a Motion for Leave to Submit Supplemental Brief on behalf of Appellant.

Appellee asks the Court to deny Appellant's Motion on the following bases:

1. Appellant's attorney, Mr. Rogers fails to provide any basis upon which he determines that this matter needs additional briefing on the issues to be reviewed in this case;
2. Appellant's attorney, Mr. Rogers fails to provide what issues supplemental briefing would benefit the Court; and
3. Appellant's attorney, Mr. Rogers fails to provide this Court with what case law, if any, would be included within his supplemental brief that would fully inform the Court of relevant case law developments.

Appellee does not expect that Appellant's attorney would *brief* the issues in their entirety in his motion, however, given the amount of briefing already provided to the Court in this matter, it would seem pertinent to give the Court an idea of what, if any, additional briefing would benefit the Court and what, if any, case law developments relevant to this matter are necessary in order to fully inform the Court in this matter, above and beyond what has already been provided.

WHEREFORE, PREMISES CONSIDERED, Appellee, Douglas Hooks respectfully prays that this Court deny Appellant's Motion for Leave to Submit Supplemental Brief, that proceeding forward with this appeal will serve

justice, and for such other and further relief to which Appellee may be justly entitled, either at law or in equity.

Respectfully submitted,

THE RASMUS FIRM
P. O. Box 1484
Manchaca, TX 78652-1484
512/481-0650
512/481-0604 (facsimile)
sgrasmus@rasmusfim.com



Sheryl Gray Rasmus
TSB# 16554001

ATTORNEY FOR APPELLEE
DOUGLAS HOOKS

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing document was provided to counsel and Plaintiff named below by Pro-Doc service e-filing, email and/or facsimile in accordance with the Texas Rules of Civil Procedure on the 4th day of May, 2020, in accordance with the Texas Rules of Civil Procedure.

David Rogers
Law Office of David Rogers
Texas Bar No. 24014089
595 Round Rock West Drive, Suite 102
Round Rock, TX 78681
512.923.6188
512.685.1144 (facsimile)
Firm@DARogersLaw.com

Attorney for Appellant
Madeleine Connor



Sherry Rasmus

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Sheryl Rasmus on behalf of Sheryl Rasmus
Bar No. 16554001
sgrasmus@rasmusfirm.com
Envelope ID: 42734027
Status as of 05/04/2020 16:53:44 PM -05:00

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Hope Avila		hope.avila@rampage-aus.com	5/4/2020 4:37:37 PM	SENT
Scott MTschirhart		scott.tschirhart@rampage-aus.com	5/4/2020 4:37:37 PM	SENT
Sherry Rasmus		sgrasmus@rasmusfirm.com	5/4/2020 4:37:37 PM	SENT
Bob Nunis		bnunis@nunislaw.com	5/4/2020 4:37:37 PM	SENT
Stephanie Criscione		scriscione@nunislaw.com	5/4/2020 4:37:37 PM	SENT
David Rogers		Firm@DARogersLaw.com	5/4/2020 4:37:37 PM	SENT